

FAMILY LAW SECTION

Respectfully submits the following position on:

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HB 4704

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The Family Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Family Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Family Law Section is 2,540.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor to this position was 15. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

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Bill Number:

HB 4704 (Byrnes) Family law; marriage and divorce; change of name procedure whenever decree of divorce is granted; revise to make gender neutral. Amends title & sec. 1 of 1905 PA 299 (MCL 552.391).

Date position was adopted:

April 4, 2009

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

15 Voted for position

0 Voted against position

0 Abstained from vote

6 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

HB 4704 is a reintroduction of a bill that the Family Law Section previously supported. It allows husbands to obtain a restoration or change of name upon divorce under the same conditions that wives obtain these changes. This makes the statute gender neutral and provides relief to couples who hyphenated their last names at marriage. The Family Law Section supports this bill.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2009-HB-4704>